APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,048	12/01/2003	Becky Jean Gibson	260-001	2653

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LOTUS AND RATIONAL SOFTWARE
McGuinness & Manaras LLP
125 NAGOG PARK
ACTON, MA 01720

EXAMINER
SHIH, HAOSHIAN

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2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/726,048	GIBSON ET AL.
	Examiner	**Art Unit**	
	Haoshian Shih	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 June 2007</u>.

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1, 3-4, 6-8, 10-11, 13-15, 17-18, 20-22 and 24* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,3,4,6-8,10,11,13-15,17,18,20-22 and 24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1, 3-4, 6-8, 10-11, 13-15, 17-18, 20-22 and 24 are pending in this

application and have been examined in response to application amendment filed on

06/19/2007.

2.   Claims 2, 5, 9, 12, 16, 19, 23 and 25-27 are canceled without prejudice.

Claim Objections

3.   Claims 3, 10 and 17 are objected to under 37 CFR 1.75(c), because each claim

depend on a canceled claim, respectively.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-4, 6-8, 10-11, 13-15, 17-18, 20-22 and 24 are rejected under 35 U.S.C.

103(a) as being unpatentable over Mag Hourihan (Hourihan, "Using JavaScript to

Create a Powerful GUI) and W3C HTML 4.01 specification (W3C) and Shiran

(Shiran, "Creating A modal Dialog Box").

5.   As to **INDEPENDENT** claim 1, Hourihan discloses a method for creating at least one accessible graphical image, comprising:

providing said at least one accessible graphical image within a graphical object (pg.2, paragraph Building a Simple Toolbar, fig.1; "creating a simple toolbar to hold three buttons"),

wherein said providing said at least one accessible graphical image is responsive to at least one image command (pg. 2, paragraph Using JavaScript to Manipulate Text Selections, "function format_sel()"; pg.4, paragraph Putting it All Together With HTML, "onclick="format_sel('b')"; "onclick" represents a mouse click event, "format_sel('b') represent a Bold text changing command),

said image command including a first attribute determining the processing of mouse click events (pg.4, "onclick" handles a click event from a mouse) , wherein said first attribute is an event handler attribute that invokes said software routine (pg.2, "format_sel()"; pg.4, "onclick="format_sel ('b')); operable to perform said predetermined functions associated with said accessible graphical image (pg.4, src="bold.gif"; an image file is associated with a button).

Hourihan does not disclose a second attribute determining the processing of at least one predetermined keyboard event, a third attribute having a parameter indicating an ordinal value to be associated with at least one graphical image and providing a modal dialog box graphical object.

In the same field of endeavor, W3C discloses a second attribute determining the

processing of at least one predetermined keyboard event, wherein said first attribute is

an event handler operates to compare a keyboard event object value indicating which

key was pressed (17.5; "onkeypress" and "onkeydown") with a predetermined value

indicating that the return key was pressed, and in the event that said event object value

matches said predetermined value (17.11.1, "Tabbbing keys"; a user agent configures

the functionality of each key, a comparison mechanism is indicated in order to specific

user defined functions to different keys), and preventing an actual carriage return from

being performed (17.11.1, "Tabbing keys"; since the "enter" key is used to activate a

selected element, an actual carriage return is then prevented. Further, it is well known

in the art for the enter key to perform different functions under different environments;

for example, enter key can be used to affirm a selection of a button of a web page, the

same enter key can also be used in a word document to produce a carriage return

function).

Further, W3C discloses a third attribute having a parameter indicating an ordinal

value to be associated with said at least one graphical image, wherein said ordinal

value represents a relative position within an ordering of graphical images within said

modal dialog box graphical object, whereby a user is allowed to access said at least one

graphical image by using a keyboard action resulting in ones of said graphical images

within said modal dialog box being sequentially accessed responsive to said ordering of graphical images within said dialog box (ch. 17.11.1 Tabbing navigation).

Further more, W3C discloses wherein said first attribute and said second attribute both pass the same parameter to said software routine operable to perform said predetermined function associated with said accessible graphical image, such that said software routine operable to perform said predetermined function associated with said accessible graphical image operates the same in response to a user pressing said enter key and in response to said user performing a mouse click (17.5; a button element is associated with various mouse handlers and keyboard handlers such as "onmousedown", "onclick", "onkeypress" and on "onkeydown", as well as image container such as "IMG" element).

W3C does not disclose a modal dialog box.

It would have been obvious to one of ordinary skill in the art, having the teaching of Hourihan *and* W3C before him at the time the invention was made, to modify the graphical object taught by Hourihan *to* include keyboard and tab events taught by W3C with the motivation being to increase the usability of the graphical object (W3C, 17.5).

In the same field of endeavor, Shiran discloses the graphical object is a modal dialog box (pg. 1; window.showModalDialog() function call).

It would have been obvious to one of ordinary skill in the art, having the teaching of Hourihan *and* W3C *and the teaching of* Shiran before him at the time the invention was made, to modify the multi-accessible graphical object taught by Hourihan *and* W3C to include a modal dialog box taught by Shiran with the motivation being to provide a program alert in response to important conditions (pg.1, paragraph 1).

6.   As to **INDEPENDENT** claim 8 is similar to claim 1, it is rejected under same rationale.

7.   As to **INDEPENDENT** claim 15 is similar to claim 1, it is rejected under same rationale.

8.   As to **INDEPENDENT** claim 22 is similar to claim 1, it is rejected under same rationale.

9.   As to **INDEPENDENT** claim 25 is similar to claim 1, it is rejected under same rationale.

10.   As to claims 3, 10, 17 and 24, Hourihan discloses wherein said at least one image command further comprises a fourth attribute having a parameter including text associated with said at least one graphical image (pg. 4, paragraph Putting it all

together with HTML; "alt" attribute). Hourihan does not specifically disclose wherein said text is accessible to a screen reader program for conversion to an audio output signal.

W3C discloses wherein said text is accessible to a screen reader program for conversion to an audio output signal (ch. 13.8 How to specify alternate text).

11.   As to claims 4, 11 and 18, Hourihan discloses wherein said at least one image command is stored within a document containing formatting information for a user interface, wherein said document is a Web page, and wherein said image command is a tag of a mark-up programming language (pg.2, paragraph Building a Simple Toolbar, fig.1; pg. 4-5, paragraph Putting it All Together With HTML).

12.   As to claims 6, 13 and 20, Hourihan discloses wherein said at least one accessible graphical image comprises a plurality of accessible graphical images (pg.2 paragraph Building a Simple Toolbar, fig.1; a bold, an italic and a link image), wherein each of said accessible graphical images is associated with a respective one of a plurality of predetermined functions, wherein each of said plurality of predetermined functions comprises one of a set of tool bar accessible functions (pg. 2, paragraph Using JavaScript to Manipulate Text Selections, "function format_sel()"; pg. 4-5, paragraph Putting it All Together With HTML, "onclick="format_sel ('I'), "onclick="format_sel('b'), "onclick="linsert_link()").

13.   As to claims 7, 14 and 21, Hourihan discloses wherein said plurality of predetermined functions comprise text formatting operations, and wherein said software routine operable to perform said predetermined function is further operable to perform an associated one of said text forwarding operations (pg.2-3 paragraph Using JavaScript to Manipulate Text Selections; "function format_sel()").

Response to Arguments

14.   Applicant's arguments filed on 06/19/2007 have been fully considered but they are not persuasive.

15.   Applicant argues that Hourihan does not suggest the desirability of providing keypress operability.

In response to applicant's argument, Hourihan discloses in pg.5, "Conclusion" a suggestion of using keystrokes to create shortcut keys for repetitive tasks is indicated.

16.   Applicant argues that the combined references do not suggest handling keyboard events using a keyboard event handler in an <img> tag that is tab indexed.

In response to applicant's argument, W3C discloses in 17.5 and 17.11.1 that a tab navigation is associated with button elements. The button elements contains images by way of the "IMG" element and keyboard handling events such as "onkeypress" and "onkeydown".

17.   Applicant argues that determining the processing of at least one predetermined keyboard event, wherein said first attribute is an event handler operates to compare a keyboard event object value indicating which key was pressed with a predetermined value indicating that the return key was pressed, and in the event that said event object value matches said predetermined value and preventing an actual carriage return from being performed.

In response to applicant's argument, see rationale addressed in the rejection of claim 1 above.

18.   Applicant argues that keyboard handling event is not disclosed in W3C.

In response to applicant's argument, W3C discloses in 17.5 that multiple attributes such as "onclick", "onkeypress", "onkeydown" are provided to offer a richer accessibility.

See claim 1 for supplement remarks to the arguments.

Conclusion

1.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haoshian Shih whose telephone number is (571) 270-

1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS

TADESSE HAILU
PRIMARY EXAMINER